

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 4

January 30, 2004

SUBJECT: DESTRUCTION OF NARCOTICS EVIDENCE - REVISED

PURPOSE: The Department has a long-standing protocol to destroy narcotics that are no longer needed for court or when the amount of narcotics exceeds Property Division's storage capabilities. Among other things, that protocol includes the designation of a command officer to serve as the Narcotics Destruction Officer, the random selection of packages for re-testing and reporting the destruction to the court(s). Recently, the narcotics destruction protocol was reviewed to ensure that it included adequate protections and security considerations. That review found that certain security measures needed improvement and that more consistency was required in the assignment of the Narcotics Destruction Officer.

This Order assigns the Assistant to the Director of Office of Operations (OO) responsibility for overseeing the destruction of narcotics evidence and revises the roles of Property Division, Scientific Investigation Division, and Narcotics Division.

PROCEDURE:

- I. Commanding Officer, Property Division.** The Commanding Officer (C/O), Property Division, is responsible for completing all budget requests and maintaining contractual agreements with narcotics disposal sites. In consultation with the C/O, Scientific Investigation Division (SID), determines when narcotics need to be destroyed, and 30 days prior to the scheduled date of the destruction, forwards an Intradepartmental Correspondence, Form 15.2, to the Assistant to the Director of OO containing a description of the narcotics to be destroyed. The 15.2 shall be marked "CONFIDENTIAL" and shall be hand delivered to the Assistant to the Director of OO in a sealed envelope. At the direction of the Assistant to the Director of OO, the C/O, Property Division, shall make sufficient Property Division personnel available to assist in the destruction.
- II. Commanding Officer, Scientific Investigation Division.** The C/O, SID, shall notify the C/O, Property Division, when narcotics stored at SID need to be destroyed. At the direction of the Assistant to the Director of OO, the C/O, SID, shall make sufficient SID personnel available to assist in the destruction. The C/O, SID, shall be responsible for determining whether or not the narcotics destruction necessitates the assignment of the Hazardous Chemicals Team to the narcotics destruction site.

Additionally, upon completion of the analysis of the narcotics random samples, the C/O, SID, shall direct an Intradepartmental Correspondence to the Assistant to the Director of OO, detailing the results of the analysis.

- III. Commanding Officer, Narcotics Division.** The C/O, Narcotics Division (ND), is responsible for ensuring that all narcotics scheduled for destruction will not jeopardize a criminal investigation or court case. Narcotics Division shall prepare and submit any pre or post-destruction documents to the court(s) or prosecutor(s) and provide a copy of those documents to the Assistant to the Director of OO. At the direction of the Assistant to the Director of OO, the C/O, ND, shall make sufficient personnel available for monitoring the examination, weighing and testing of those randomly selected items scheduled for destruction, and the actual destruction of narcotics.
- IV. Commanding Officer, Metropolitan Division.** The C/O, Metropolitan Division, is responsible for providing adequate security for the destruction of narcotics. This includes developing a security plan for each destruction and submitting it to the Assistant to the Director of OO for approval prior to the destruction date. The C/O, Metropolitan Division, shall make sufficient personnel available to the Assistant to the Director of OO for the destruction.
- V. Assistant to the Director of Office of Operations.** The Assistant to the Director of OO is in charge of each narcotics destruction. This includes developing a written plan for each destruction, inventorying the narcotics, identifying the narcotics to be re-tested, the manner in which the re-testing is to occur, and overseeing the work of all commands involved in the destruction.

Note: The Assistant to the Director of OO may delegate his/her authority regarding the destruction of evidence to an appropriate staff officer.

The Assistant to the Director of OO also has the authority to require the temporary reassignment of personnel throughout the Department to assist in the narcotics destruction. Generally, those personnel should be from non-operational commands and shall not have been involved in any investigation resulting in the seizure of the narcotics to be destroyed. Audit Division personnel

should not be involved in the destruction, though they may provide their random sampling expertise to the Assistant to the Director of OO. The Assistant to the Director of OO shall also complete and maintain a full report for each destruction and review those reports prior to each destruction to prevent the development of a predictable pattern.

Note: Depending upon the amount of narcotics to be destroyed, each destruction usually requires the assignment of four to ten people for about two weeks.

AMENDMENT: This Order amends Section 4/552.05 of the Department Manual.

AUDIT RESPONSIBILITY: The Assistant to the Director of OO shall monitor compliance with this directive in accordance with Department Manual Section 0/080.30.

WILLIAM J. BRATTON
Chief of Police

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